



## CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council  
**From:** Ted Shekell, Planning Director  
Walter Denton, City Administrator  
**Date:** February 20, 2007  
**Subject:** 1) Resolution No \_\_\_\_: A Resolution approving the Minor Subdivision for Kensington Woods 1<sup>st</sup> Addition (**RESOLUTION**)

---

**List of Committees that have reviewed:** At its meeting on February 12, 2007, the Community Development Committee recommended approval of the Minor Subdivision for Kensington Woods 1<sup>st</sup> Addition with a vote of 3-1.

### **Background:**

The applicant, Don Sweitzer, is proposing to subdivide his 2.54 acre residential lot into two residential lots. Kensington Woods Subdivision is located north of East Highway 50, between Country Oaks and Lakepointe Estates residential developments. All minimum SR-2 area/bulk requirements for the individual lots have been satisfied. The two lots will share a private driveway off of Kensington Place. A cross-access and joint maintenance agreement for the driveway is being drawn up by the applicant's attorney and will be recorded as part of the Minor Subdivision.

Although the process of subdividing lots in an already existing, built-out subdivision can create concern by neighboring property owners, staff found no evidence to suggest that this proposed project would negatively affect surrounding property owners. Mr. Sweitzer's lot is at the end of a cul-de-sac, and the lot is much larger than others on his street. The minor subdivision also does not require the construction of an additional driveway.

Staff did speak with two concerned neighbors about issues surrounding the Homeowners Association. However, the applicant has assured staff that his property is not included in the Homeowners Association and therefore is not subject to its covenants.

**Legal Considerations, if any:** None

**Budgetary Impact:** None

**Staff Recommendation:** The Subdivision Plat and Survey Plat for Kensington Woods 1<sup>st</sup> Addition Minor Subdivision have been reviewed by Planning and Engineering staff, and they have been found to meet all minimum platting requirements for lots in the SR-2 zoning district. Staff recommends approval of the Minor Subdivision for Kensington Woods 1<sup>st</sup> Addition with the following condition:

1. Record a cross-access and joint maintenance agreement for the shared driveway.